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OFFICE OF PETITIONS

In re Application of :
Kintis : DECISION ON PETITION
Application No. 09/941,403 :
Filed: August 28, 2001 :
Docket No.: 12-1212 :

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed October 10, 2005, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned February 24, 2005 for failure to timely reply to the non-final Office action mailed November 23, 2004. The Notice set a three (3) month shortened statutory period of time for reply. No petition for extension of time in accordance with 37 C.F.R. § 1.136 was timely submitted. Notice of Abandonment was mailed July 12, 2005.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by: (1) the required reply to the outstanding Office action or notice, unless previously filed; (2) the petition fee as set forth in 37 C.F.R. § 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee set forth in 37 C.F.R. § 1.20(d)) required pursuant to 37 C.F.R. § 1.137(c).

The instant petition has been reviewed and found in compliance with the provisions of 37 C.F.R. § 1.137(b). Accordingly, the failure to timely submit a proper reply to the non-final Office action is accepted as having been unintentionally delayed.

This application will be forwarded to Technology Center 2600 for further processing.

Application No. 09/941,403

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Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

A handwritten signature in black ink, appearing to read 'Alesia M. Brown', with a stylized, flowing script.

Alesia M. Brown
Petitions Attorney
Office of Petitions